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REPORT OF THE SECRETARY-GENERAL IN PURSUANCE OF SECURITY COUNCIL RESOLUTION 849 (1993)

INTRODUCTION

1. In paragraph 2 of its resolution 849 (1993) of 9 July 1993, the Security Council requested me, inter alia, "to begin immediately the necessary preparations, including contacting Member States which may be able to make observers available and sending a planning team to the area, for the dispatch of 50 military observers to Georgia once the cease-fire is implemented;". In paragraph 3, the Council also requested me to notify its members, for their decision, when the cease-fire had been implemented and conditions permitted the deployment of the observers, and to make recommendations at that stage for their mandate.

2. In accordance with the Council's request, I dispatched a planning team to prepare for the eventual deployment of the military observer mission. The team, led by Mr. George L. Sherry, former Assistant Secretary-General, visited the area from 19 to 26 July 1993. Independently of the planning team, my Special Envoy, Ambassador Edouard Brunner, also undertook a visit to the area, from 28 to 31 July, immediately after the coming into effect of the cease-fire, in pursuance of the tasks specified in paragraph 2 of resolution 849 (1993). This report is based on the recommendations which I have received both from Ambassador Brunner and from the planning team.

3. On 27 July 1993, a day after the planning team left the area, and shortly before Ambassador Brunner's arrival there, a new cease-fire agreement was concluded between the Government of Georgia and the Abkhaz authorities in Gudauta with the mediation of Mr. Boris Pastukhov, Deputy Foreign Minister of the Russian Federation in the role of facilitator. The agreement is reproduced in annex I to the present report. It re-established a cease-fire on 28 July 1993, and envisages the arrival of international observers within 10-15 days of that date.

4. The agreement provides, inter alia, for a trilateral "Joint Commission" including representatives of the parties as well as the Russian Federation. The "Joint Commission", to be established by 5 August 1993, will assume responsibility for the supervision of the establishment and maintenance of the cease-fire. For this purpose, a number of tripartite Georgian-Abkhazian-Russian "interim monitoring groups" will be established by the "Joint Commission" in order to conduct patrols on the ground and deal with breaches of the cease-fire

as appropriate. The agreement envisages that military observers from the United Nations as well as from the Conference on Security and Cooperation in Europe (CSCE) will help to verify compliance with the cease-fire on the ground and also participate in the work of the trilateral "Joint Commission".

5. The agreement envisages the deployment of the "interim monitoring groups" that are to establish close contact with the international observers upon their arrival, in Sukhumi, Gulripshe, Gudauta, Novy Afon, Tkvarcheli, Gagra and Gali, and possibly in other locations. International observers are also to be deployed along the Gumista, Psou and Inguri rivers.

6. The parties also consider it necessary to invite international peace-keeping forces in the conflict zone to participate in maintaining the cease-fire and public order. This task may be shared, subject to consultation with the United Nations, by the Russian military contingent temporarily deployed in the zone.

I. REPORT OF THE PLANNING TEAM

7. The terms of reference of the planning team called for preparation for the deployment of 50 military observers in the area of conflict between the Republic of Georgia and Abkhazia to supervise the cease-fire agreement of 14 May 1993 between the parties. As outlined in my report of 1 July 1993 (S/26023), the observers were to be dispatched once the cease-fire was implemented. Owing to the conditions outlined in my report of 7 July 1993 (S/26023/Add.2), their deployment was not effected. Meanwhile, the planning team was to draw up a detailed plan that would enable me to make recommendations to the Security Council concerning the mandate of the observer mission in conformity with paragraph 3 of Council resolution 849 (1993).

8. The team visited Tbilisi, Sukhumi, Gudauta and Ochamchira; it had meetings with Georgian government officials in Tbilisi and Sukhumi, with Abkhaz officials in Gudauta, and with representatives of the Russian Federation. Because of shelling, the team was prevented from visiting some of the front-line and other villages.

9. In its contacts with the representatives of the parties to the conflict and the representative of the Russian Federation present in Georgia, the team made clear that any provision with implications exceeding the mandate in resolution 849 (1993) would require the authorization of the Security Council. The team explained in detail the concept of a United Nations military observer mission in Georgia, also discussing such practical questions as the selection of headquarters sites and arrangements for housing and logistical support of the operation.

10. The Chairman of the Georgian Parliament and Head of State, Mr. Eduard Shevardnadze, and other government officials in Tbilisi stressed the importance of the speedy deployment of United Nations military observers. They explained that the provision for "interim monitoring groups" in the cease-fire agreement was designed to avoid the vacuum that would otherwise develop between the entry into force of the cease-fire and the deployment of international military observers, a vacuum that might tempt one of the parties to initiate

military action in order to change the territorial status quo. They considered that the "interim monitoring groups" should remain in the area even after the international observers were in place. Georgian officials also suggested that the 27 July 1993 cease-fire agreement had a good chance of holding provided the Government of the Russian Federation sealed the border effectively to prevent arms traffic from Sochi, stopped the infiltration of armed groups from northern Caucasus and promoted a fair settlement of the underlying political issues. The Russian facilitator, Mr. Pastukhov, took the position that any cross-border arms traffic was organized by elements outside the control of his Government, which would therefore welcome a United Nations presence to help to end such activities.

11. Whereas the Abkhaz authorities in Gudauta initially expressed scepticism about the need for a United Nations role in the conflict, they eventually took the position that they would not obstruct the deployment of United Nations observers in areas under the control of Abkhazian forces.

II. CONCEPT OF OPERATION

12. Should the Security Council so decide, the tasks envisaged for military observers in the cease-fire agreement signed on 27 July 1993 could be carried out by a United Nations military observer mission to be known as the "United Nations Observer Mission in Georgia" (UNOMIG). The mission would be under the command of the United Nations, vested in the Secretary-General under the authority of the Security Council. Command and control in the field would be exercised by a Chief Military Observer (CMO), with the rank of Brigadier-General, designated by the Secretary-General in consultation with the Security Council. The CMO would report to the Secretary-General.

13. UNOMIG would establish its headquarters in Sukhumi. It would maintain three sector headquarters (in Sukhumi and Ochamchira, and at the Psou River) and a liaison office in Tbilisi (see map in annex II to the present report). To perform its monitoring functions effectively, UNOMIG would need a combination of static observation posts and mobile patrols. It is envisaged that three observation posts in the Sukhumi sector and four patrol teams in the Ochamchira sector would be required. Helicopter patrols would be used to supplement vehicle patrols. Moreover, it is envisaged that two checkpoints on the Psou River and one checkpoint on the Inguri River would be necessary to monitor crossing points. Helicopter and random mobile patrols would be conducted to monitor secondary crossing sites. The total strength of the mission would be 88 military personnel, along with international and local support staff.

14. In order to carry out their functions, the military observers would need to have freedom of movement and access, communication and inspection, and enjoy other rights necessary for the performance of their tasks. UNOMIG and its personnel would also have to be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. A status-of-mission agreement with the Government of Georgia, and necessary arrangements with the Abkhaz authorities in Gudauta would therefore be required to enable UNOMIG to function effectively.

15. I have already requested a number of Governments to provide military observers for the proposed mission. As soon as I have received responses from all of them, I shall decide upon the composition of the mission, with the concurrence of the Security Council, keeping in mind the accepted principle of equitable geographical representation. I would report regularly to the Security Council on the operation of UNOMIG. All matters that might affect the nature or the continued effective functioning of the observer mission would be referred to the Security Council for its decision.

16. I shall, as soon as possible, submit an addendum to the present report stating the financial and administrative implications of the operation as described above.

III. OBSERVATIONS

17. Following the signature of the agreement on 27 July 1993 (see para. 3 above), the cease-fire came into effect on 28 July and, despite some incidents, is generally being respected. It is evident that the presence of international observers, as envisaged in the agreement, would provide a major stabilizing effect. It is keenly desired by the Georgian and Russian Governments and has been accepted by the Abkhaz authorities in Gudauta. In the context of paragraph 3 of resolution 849 (1993) of 9 July 1993, and based on reports received from my Special Envoy, it is my view that conditions now prevail which permit the deployment of the proposed military observer mission as outlined in paragraphs 12 and 13 above. Its tasks would be:

(a) To verify respect for the cease-fire agreement on 27 July 1993;

(b) To assist in avoiding any escalation of hostilities, with special attention to the city of Sukhumi;

(c) To maintain a channel of communication with the military commanders of the parties in order to forestall violations of the cease-fire;

(d) To investigate reports of cease-fire violations and to attempt to resolve such incidents on the ground with the parties involved;

(e) To report to Headquarters on the implementation of its tasks.

18. After considering carefully the findings of the planning team, I have reached the conclusion that the dispatch of 50 military observers, as authorized by resolution 849 (1993), which was adopted prior to the 27 July agreement, would not be sufficient to cope with the situation which has developed since. I agree with the conclusion of the planning team that the additional deployment (along the Gumista, Psou and Inguri rivers) called for by this agreement would strengthen the effectiveness of the United Nations military observation mission considerably. I therefore recommend that the Security Council expand the mandate of the mission to include such tasks as part of the operation and initiate the deployment of 88 military observers and supporting staff without delay. I further recommend that the Security Council authorize the establishment of UNOMIG with such an expanded mandate. In this event, I propose to appoint Brigadier-General John Hvidegaard of Denmark as the CMO.

19. However, I wish to draw the Council's attention to some novel features in the agreement referred to (paras. 3 and 4 above) which could impinge upon the functioning of UNOMIG. Paragraph 2 of the agreement envisages that the tripartite "interim monitoring groups" which have the responsibility for monitoring the cease-fire regime, will establish close contact with "international observers". In paragraph 3, it is envisaged that the parties are to comply with determination of violations by the "interim monitoring groups", and that violations are to be reported to the United Nations and CSCE. While United Nations and CSCE observers may participate in the "Joint Commission" established under paragraph 4, the detailed modalities for this participation remain to be clarified. Paragraph 5 mentions "international observers and peace-keeping forces". Paragraph 6 provides for the temporary deployment of a Russian military contingent, subject to consultation with the United Nations.

20. Thus, the agreement appears to anticipate some sort of co-deployment with other contingents and groups that are also assigned responsibilities for maintaining the cease-fire and public order. With the Council's approval, an advance team of the mission is being dispatched to the area. One of its tasks will be to clarify with the parties the relationship of UNOMIG with these entities, and the extent of their respective responsibilities and authority, before the full deployment of the mission is effected.

21. It would be my hope that United Nations assistance, through the establishment of UNOMIG, would lead to the resolution of the present situation and to the early restoration of peace, security and stability to the region through negotiations, for which my Special Envoy is at the disposal of the parties, so that UNOMIG's task may be completed speedily and the mission terminated.

Annex I

[Original: Russian]

AGREEMENT ON A CEASE-FIRE IN ABKHAZIA AND ARRANGEMENTS TO MONITOR ITS OBSERVANCE

The representatives of the parties to the conflict have, with the mediation of the Russian Federation, agreed as follows:

1. With effect from 1200 hours on 28 July 1993, the parties to the conflict shall resume strict observance of the regime established on 20 May 1993 for a cease-fire and the non-use of force against each other in the conflict zone.

The combat use of aircraft, artillery, vessels and any military equipment and weapons shall be prohibited.

No additional troops or other armed formations shall be brought into the conflict zone (into the territory of Abkhazia) and there shall be no mobilization, unapproved movement of troops and other formations, deliveries of arms and ammunition or construction of military infrastructure.

2. With effect from 29 July 1993, the trilateral Georgian-Abkhaz-Russian interim monitoring groups (comprising three to nine persons each) shall begin to function; their membership shall be decided by agreement between the parties.

The interim monitoring groups shall supervise the observance of the cease-fire regime. They shall be stationed in Sukhumi, Gulripsh, Ochamchira, Gudauta, Novy Afon, Tkvarcheli, Gagra and Gali. If the need arises, the groups shall, by agreement of the parties, be stationed in other places as well. The monitoring groups shall have the right of access to any part of the conflict zone of interest to them, after they have notified the parties accordingly. The parties to the conflict shall ensure the safety of the monitoring groups and shall provide them with accommodation and means of transport.

The monitoring groups may consider appeals from members of the population on various issues.

When the international observers arrive, the interim monitoring groups shall establish close liaison with them.

3. Each of the parties to the conflict undertakes to adopt immediate and effective measures to put a stop to any action by its formations deemed by the monitoring groups to be in breach of the cease-fire regime and to respond efficiently to the recommendations and proposals of the monitoring groups.

The United Nations and the Conference on Security and Cooperation in Europe (CSCE) shall be notified of violations of the commitments which the parties to the conflict have entered into under this Agreement.

4. A Joint Commission on the settlement in Abkhazia shall be established by 5 August 1993. Its statute shall be approved by the parties. Representatives and observers from the United Nations and CSCE shall be invited to participate in the work of the Commission.

5. The parties consider it essential to invite international observers and peace-keeping forces to be deployed in the conflict zone. This shall be on the understanding that the size and composition of the international peace-keeping forces shall be determined in consultation with the United Nations Secretary-General and the Security Council and subject to the agreement of the parties.

6. The phased demilitarization of the conflict zone shall commence. International observers shall immediately be brought into the conflict zone and the armed formations of the Republic of Georgia shall be withdrawn from the territory of Abkhazia over a period of 10 to 15 days from the date of the cease-fire.

During this same period, the armed formations, groups and persons located in the conflict zone shall be demobilized and withdrawn from Abkhazia.

For the purposes of protecting main roads and important facilities, in accordance with the final document of the Moscow meeting of 3 September 1992, a subunit of internal troops shall be formed from the local population on the Georgian side and placed on stand-by. Subsequently this subunit, together with the regiment of internal troops referred to below, shall form part of the multinational internal troops of Abkhazia.

The armed formations on the Abkhaz side shall be amalgamated into a regiment of internal troops, which shall be placed on stand-by and, until a comprehensive settlement is reached, shall perform functions appropriate to internal troops (guarding main roads and important facilities).

All the above activities shall be conducted under the supervision of the Joint Commission.

International observers shall be deployed along the Gumista, Psou and Inguri rivers.

Immediately after the cease-fire, a multinational police force shall be established in the conflict zone for the purposes of maintaining public order. Its composition and size shall be determined by the parties.

International peace-keeping forces and, subject to consultation with the United Nations, the Russian military contingent temporarily deployed in the conflict zone shall participate in efforts to uphold the cease-fire regime and maintain law and order.

The parties to the conflict shall guarantee the rights of the multi-ethnic population.

Measures shall be taken to return refugees to their homes and to render assistance to them. The Joint Commission shall set up a special group to ensure that refugee problems are attended to efficiently.

7. The Russian troops temporarily located in the territory of Abkhazia shall observe strict neutrality.

The temporary deployment status, modus operandi and withdrawal timetable and procedure applicable to the military formations and frontier troops of the Russian Federation shall be determined by separate treaty documents.

The parties shall ensure the safety of Russian servicemen and their families.

8. In accordance with the final document of the Moscow meeting of 3 September 1992, the parties shall create conditions for the legitimate authorities in Abkhazia to resume their normal functions.

9. The parties to the conflict, acting under the auspices of the United Nations and with the facilitation of the Russian Federation, shall immediately resume negotiations on the preparation of an agreement on the comprehensive settlement of the conflict in Abkhazia.

The agreement shall reflect basic issues relating to the maintenance of peace, the demilitarization of the conflict zone, the deployment of international peace-keeping forces, the revival of economic life, the maintenance of law and order, the criminal prosecution of persons who have committed offences against the civilian population, the return of refugees to their homes, the observance of human rights and the rights of national minorities and guarantees to uphold the political status and state system of Abkhazia.

10. The participants in this agreement undertake not to use its provisions or the cease-fire regime for any actions which could be prejudicial to the interests of any one of them.

Sochi, 27 July 1993

For the Georgian side:	For the Abkhaz side:	For the Russian Federation:
[Signed]	[Signed]	[Signed]

Annex II

MAP OF GEORGIA